

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

LARRY ANDREW PIATEK a/k/a
PETER JOSEPH BARDESON,

Plaintiff,

Case No. 05-C-697

v.

MICHAEL SCHMITZ, DAVID GRAVES,
and CHARLES HALL,

Defendants.

OPINION AND ORDER

Plaintiff Larry Andrew Piatek and the remaining Defendants, Michael Schmitz, David Graves, and Charles Hall, have stipulated to the dismissal of all claims raised in this action. Therefore, the court ORDERS that the Complaint and this action are dismissed without costs or attorney fees taxed against any party. See Federal Rule of Civil Procedure 41(a).

IT IS FURTHER ORDERED that the Plaintiff's "Motion for Summary Judgment" (filed February 28, 2006) IS DENIED without prejudice.

IT IS FURTHER ORDERED that the "Defendants' Motion for Summary Judgment" (filed March 1, 2006) IS DENIED without prejudice.

IT IS FURTHER ORDERED that the Clerk of Court shall enter a final judgment as a separate document. See Federal Rule of Civil Procedure 58. This judgment shall provide that:

Plaintiff Larry Andrew Piatek and Defendants Michael Schmitz, David Graves, and Charles Hall having stipulated

to the dismissal of all claims raised in this action which was brought before the court, the Honorable Thomas J. Curran, District Judge, presiding, and the court having dismissed the Complaint,

IT IS ORDERED AND ADJUDGED

that this action is dismissed with prejudice and without costs or attorney fees taxed to any party.

Done and Ordered in Chambers at the United States Courthouse,
Milwaukee, Wisconsin, this 31st day of March, 2006.

s/ Thomas J. Curran
Thomas J. Curran
United States District Judge